

BOARD OF APPEAL REFERRALS

Voted at meeting of 4/21/82 April 22, 1982

1. Z-5548 Northeastern University
110 Forsyth Street, Boston
2. Z-5563 Mary J. Douglas
17 Hancock Street, Boston
3. Z-5568 David W. Crossman and E. Encallado
61 Myrtle Street, Boston
4. Z-5569 Patricia A. Clark
34 Marcella Street, Roxbury
5. Z-5571 Bernard Herman
721-725 Boylston Street, Boston
6. Z-5573 Albert F. Sullivan
29 Eden Street, Charlestown
7. Z-5574 Longfellow Service Corp. - Frederic W. Rust, Treasurer
1360 Commonwealth Avenue, Brighton
8. Z-5579 Pearline Bonney-Haughton
139 Forest Hills Street, Jamaica Plain
9. Z-5589 L & D Realty - Ernest Zane
95-99 Freeport Street, Dorchester
10. Z-5594 Robert and Coreen Zawadski
7 Shenandoah Street, Dorchester
11. Z-5596 Oy Wah Yue
79 River Street, Dorchester
12. Z-5597 David S. Brown
35-37-39 Saratoga Street, East Boston
13. Z-5603 Children's World Educational Centers, Inc.
63 Perrin Street, Roxbury
14. Z-5600-5602 525-527 Columbus Associates and Michael A. Burke
525a-529 Columbus Avenue, Boston
15. Z-5608-5609 Philip Portnoy and American Youth Hostels, Inc.
15 Haviland and 12 Hemenway Streets, Boston
16. Z-5611 Philip R. Berardi
145 Everett Street, Allston
17. Z-5612 We Can, Inc. - William H. Jones, Executive Director
10 Thetford Avenue, Dorchester
18. Z-5616-5617 Josephine Sanfilippo
64 Como Road, Hyde Park
19. Z-5622 440 Commercial Street Trust
440-448 Commercial Street, Boston

MEMORANDUM

April 22, 1982

TO: BOSTON REDEVELOPMENT AUTHORITY
FROM: Robert J. Ryan, Director
SUBJECT: BOARD OF APPEAL REFERRALS

Hearing: 4/27/82

Z-5548
Northeastern University
110 Forsyth Street, Boston
near Greenleaf Street

Five-story structure

District(s):	apartment <u>H-3</u>	general business _____	industrial _____
	residential _____	local business _____	waterfront _____
	single family _____		manufacturing _____

Purpose: to erect five-story addition to research building.

Violation(s):

Section

Change in conditional use.

Accessory library is conditional use

Accessory scientific research and teaching laboratories
are conditional uses.

Proposed addition to Dana Hall engineering/research building is consistent with Northeastern University's Development Plan of 1975 and will be surrounded by other University uses. No neighborhood objections. Recommend approval with provisos.

VOTED: In reference to Petition Z-5548, brought by Northeastern University, 110 Forsyth Street, Boston, for three conditional uses to erect a five-story addition to a research building in an apartment (H-3) district, the Boston Redevelopment Authority recommends approval provided that any off-street parking eliminated by the construction of the addition be replaced in specifically identified lots on campus within 1200 feet and that plans be subject to Authority design review.

Z-5548

(३३)

Board of Appeal Referrals 4/22/82

Hearing: 5/4/82

Z-5563

Mary J. Douglas
17 Hancock Street, Boston
near Cambridge Street

Four-story structure

District(s):	apartment <u>H-2-65</u>	general business <u> </u>	industrial <u> </u>
	residential <u> </u>	local business <u> </u>	waterfront <u> </u>
	single family <u> </u>		manufacturing <u> </u>

Purpose: to change occupancy from lodging house to two-family dwelling.

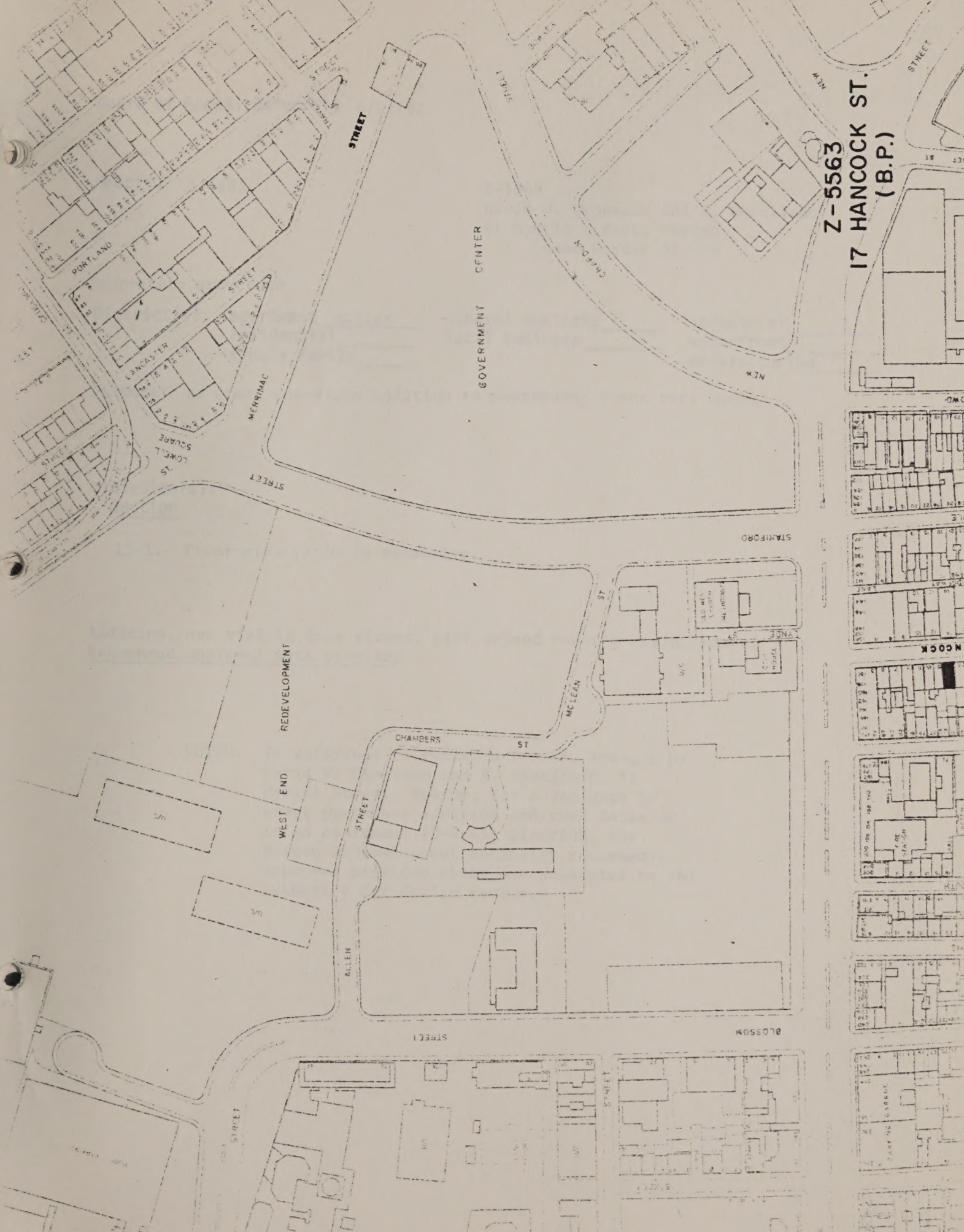
Violation(s):
Section

15-1. Floor area ratio is excessive.

17-1. Open space is insufficient.

Building will be substantially renovated for owner-occupant and rental unit. Garden area will mitigate open space deficiency. Attic space will be converted to bedroom. Recommend approval.

VOTED: In reference to Petition Z-5563, brought by Mary J. Douglas, 17 Hancock Street, Boston, for two variances for change of occupancy from lodging house to two-family dwelling in an apartment (H-2-65) district, the Boston Redevelopment Authority recommends approval. Building will be substantially renovated for owner-occupant and rental unit. Violations will not impact residential neighborhoods.



Z-5563
17 HANCOCK ST.
(B.P.)

REDEVELOPMENT

GOVERNMENT CENTER

STAMFORD

BLOSSOM

STREET

ALLEN

STREET

CHAMBERS

ST

MCLAN

ST

PORTLAND

LANCASTER

MERRIAM

SQUARE

STREET

STREET

STREET

CHAMBERS

NEW

STREET

Board of Appeal Referrals 4/22/82

Hearing: 5/4/82

Z-5568

David W. Crossman and E. Encallado
61 Myrtle Street, Boston
near Garden Street

Four-story structure

District(s):	apartment <u>H-2-65</u>	general business _____	industrial _____
	residential _____	local business _____	waterfront _____
	single family _____		manufacturing _____

Purpose: to erect one-story addition to penthouse; erect roof decks.

Violation(s):

Section

15-1. Floor area ratio is excessive.

Addition, not visible from street, will expand owner's living space.

Recommend approval with proviso.

VOTED: In reference to Petition Z-5568, brought by David W. Crossman and E. Encallado, 61 Myrtle Street, Boston, for a variance to erect penthouse addition and roof decks in in an apartment (H-2-65) district, the Boston Redevelopment Authority recommends approval provided plans are submitted to the Authority for design review.

Z-5568
61 MYRTLE ST.
(B.P.)



Board of Appeal Referrals 4/22/82

Hearing: 4/27/82

Z-5569

Patricia A. Clark
34 Marcella Street, Roxbury
near Ritchie Street

2-1/2 story structure

District(s):	apartment <u>H-1</u>	general business <u> </u>	industrial <u> </u>
	residential <u> </u>	local business <u> </u>	waterfront <u> </u>
	single family <u> </u>		manufacturing <u> </u>

Purpose: to change occupancy from two-family dwelling to four apartments.

Violation(s):
Section

Converted dwelling which does not meet lot area and open space requirements is forbidden in H-1 district.

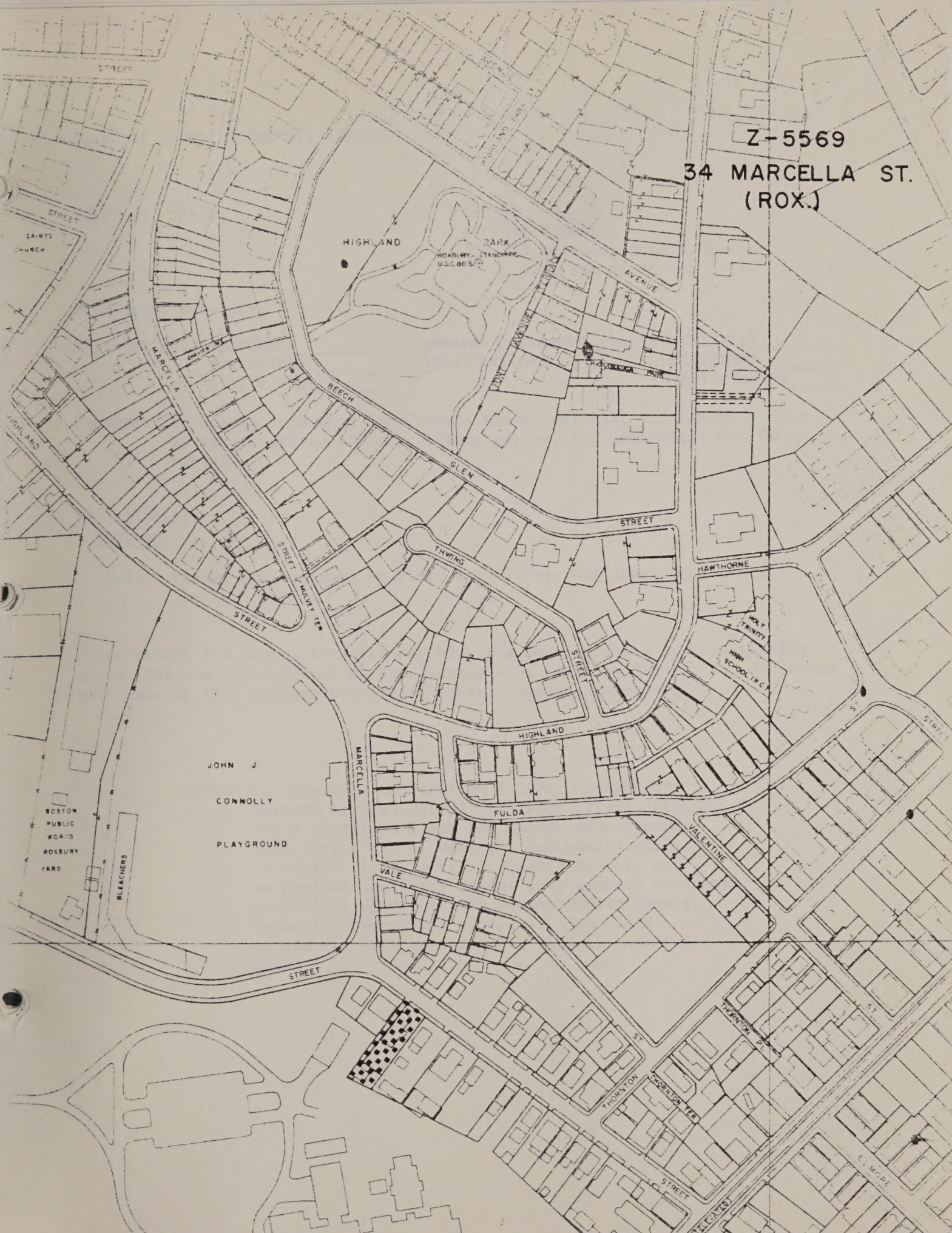
Lot area, open space, and off-street parking are insufficient.

Proposed occupancy would be excessive. Off-street parking not provided.
Recommend denial.

VOTED: In reference to Petition Z-5569, brought by Patricia A. Clark, 34 Marcella Street, Roxbury, for a forbidden use and three variances for change of occupancy from two-family dwelling to four apartments in an apartment (H-1) district, the Boston Redevelopment Authority recommends denial. Proposed occupancy would be excessive. Off-street parking not provided.

Z-5569

34 MARCELLA ST.
(ROX.)



Board of Appeal Referrals 4/22/82

Hearing: 5/4/82

Z-5571

Bernard Herman

721-725 Boylston Street, Boston
near Exeter Street

Five-story structure

District(s): apartment _____ general business B-10-155 industrial _____
residential _____ local business _____ waterfront _____
single family _____ manufacturing _____

Purpose: to change occupancy from retail store, offices, and beauty parlor
to retail store, offices, beauty parlor, and mechanical dentistry
school.

Violation(s):
Section

8-7. Trade, professional or other school is conditional use.

Trade school for dental technicians, which has been licensed by Commonwealth
since 1964 and has operated at two locations on Boylston Street, is consistent
with uses in this general commercial area. Recommend approval.

VOTED: In reference to Petition Z-5571, brought by
Bernard Herman, 721-725 Boylston Street, Boston,
for a conditional use for change of occupancy
from retail store, offices, and beauty parlor
to retail store, offices, beauty parlor, and
mechanical dentistry school in a general business
(B-10-155) district, the Boston Redevelopment
Authority recommends approval. School is
consistent with uses in this general commercial
area.



Z-5571

721-725 BOYLSTON ST.

(B.P.)

Board of Appeal Referrals 4/22/82

Hearing: 4/27/82

Z-5573

Albert F. Sullivan

29 Eden Street, Charlestown

near Main Street

Three-story structure

District(s): apartment H-1 general business _____ industrial _____
residential _____ local business _____ waterfront _____
single family _____ manufacturing _____

Purpose: to change occupancy from three-family dwelling to five apartments.

Violation(s):

Section

Converted dwelling which does not meet lot area, open space, and off-street parking requirements is forbidden in an H-1 district.

Lot area, width, and frontage are insufficient.

Open space is insufficient.

Off-street parking is insufficient.

Condition has existed over twenty years. No neighborhood objections.
Recommend approval.

VOTED: In reference to Petition Z-5573, brought by Albert F. Sullivan, 29 Eden Street, Charlestown, for a forbidden use and five variances for change of occupancy from three-family dwelling to five apartments in an apartment (H-1) district, the Boston Redevelopment Authority recommends approval. Condition has existed over twenty years. No neighborhood objections.



Z-5573
29 EDEN ST.
(CHSN.)

EDEN ST. J. BOHANN
PLANNING

HILL STREET

RUSSELL STREET

EDEN STREET

AUBURN STREET

AVENUE

LAND BORO

EDGE ST.

STREET

MILL STREET

HANCOCK SQUARE

AVENUE

STREET

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Board of Appeal Referrals 4/22/82

Hearing: 4/27/82

Z-5574

Longfellow Service Corp.

Frederic W. Rust, Treasurer

1360 Commonwealth Avenue, Brighton
near Scottfield Road

Two-story structure

District(s): apartment H-1 general business _____ industrial _____
residential _____ local business _____ waterfront _____
single family _____ manufacturing _____

Purpose: to change occupancy from public garage to public garage, sale of gasoline, auto body repair, storage and parking of vehicles for fee.

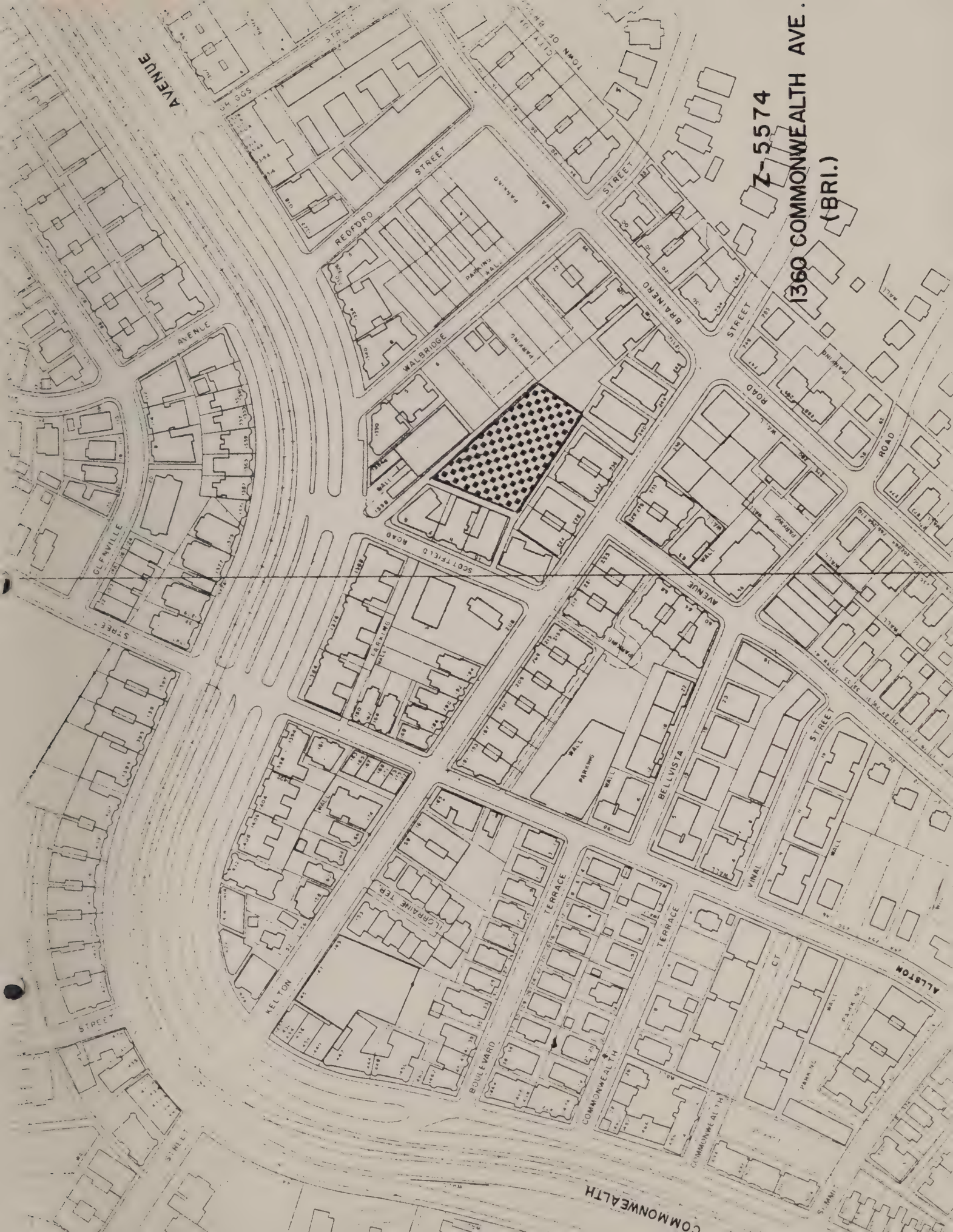
Violation(s):
Section

Auto body repair shop is forbidden in H-1 district.

Extension of nonconforming use.

Garage, set back from Commonwealth Avenue, is reached through narrow passageway. Proposed gas sales and automotive repairs with increased generated traffic will have a detrimental effect on abutters and surrounding multi-family apartment dwellings. Recommend denial.

VOTED: In reference to Petition Z-5574, brought by Longfellow Service Corp., 1360 Commonwealth Avenue, Brighton, for a forbidden use and extension of nonconforming use for change of occupancy from public garage to public garage, sale of gasoline, auto body repair, storage and parking of motor vehicles for fee in an apartment (H-1) district, the Boston Redevelopment Authority recommends denial. Proposed uses with increased generated traffic will have a detrimental effect on abutters and surrounding multi-family apartment dwellings.



Z-5574

1360 COMMONWEALTH AVE.

(BRI.)

Board of Appeal Referrals 4/22/82

Hearing: 4/27/82

Z-5579

Pearline Bonney-Haughton

139 Forest Hills Street, Jamaica Plain
near Lourdes Avenue

Three-story structure

District(s):	apartment_____	general business_____	industrial_____
	residential <u>R-.8</u>	local business_____	waterfront_____
	single family_____		manufacturing_____

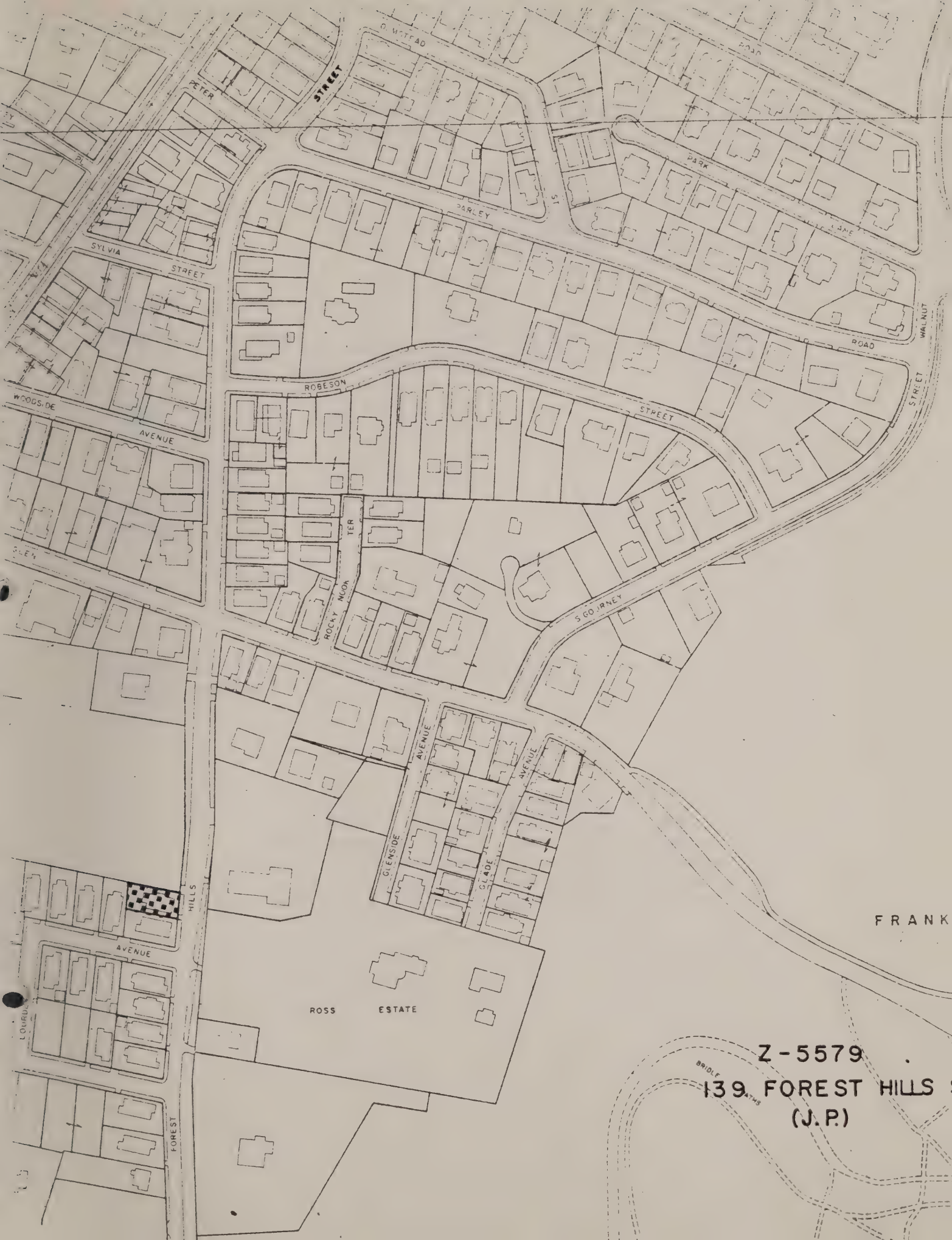
Purpose: to change occupancy from three-family dwelling to two-family dwelling and day care center.

Violation(s):
Section

Day care center is conditional use.

Petitioner, who is a registered nurse, will operate facility for fifteen children on first floor of structure. Van will be purchased to transport children to and from the center. Child care use is needed and beneficial to community. Recommend approval with proviso.

VOTED: In reference to Petition Z-5579, brought by Pearline Bonney-Haughton, 139 Forest Hills Street, Jamaica Plain, for a conditional use for change of occupancy from three-family dwelling to two-family dwelling and day care center in a residential (R-.8) district, the Boston Redevelopment Authority recommends approval with proviso that capacity be limited to fifteen children.



FRANK

Z-5579

139. FOREST HILLS

(J.P.)

Board of Appeal Referrals 4/22/82

Hearing: 5/4/82

Z-5589
L & D Realty
Ernest Zane
95-99 Freeport Street, Dorchester
at Ellsworth Street

Three-story structure.

District(s):	apartment_____	general business_____	industrial_____
	residential_____	local business_____	waterfront_____
	single family_____		manufacturing <u>M-1</u>

Purpose: to relocate fence.

Violation(s):
Section

Corner traffic visibility is insufficient.

Damaged chain link fence enclosing manufacturing property will be replaced.
Recommend approval.

VOTED: In reference to Petition Z-5589, brought by
L & D Realty, 95-99 Freeport Street, Dorchester,
for a variance to relocate fence in a manufac-
turing (M-1) district, the Boston Redevelopment
Authority recommends approval. Damaged chain
link fence enclosing manufacturing property will
be replaced.

[illegible]

Board of Appeal Referrals 4/22/82

Hearing: 4/27/82

Z-5594

Robert and Coreen Zawadski
7 Shenandoah Street, Dorchester
near Carruth Street

2-1/2 story structure

District(s):	apartment_____	general business_____	industrial_____
	residential <u>R-.5</u>	local business_____	waterfront_____
	single family_____		manufacturing_____

Purpose: to change occupancy from one- to two-family dwelling.

Violation(s):
Section

Converted dwelling meeting half of lot area requirements is conditional use.

Lot area is insufficient.

Occupancy has existed for ten years. Proposal will allow elderly parent continued residence. Neighbors and abutters support the change.

Recommend approval.

VOTED: In reference to Petition Z-5594, brought by Robert and Coreen Zawadski, 7 Shenandoah Street, Dorchester, for a conditional use and a variance for change of occupancy from one- to two-family dwelling in a residential (R-.5) district, the Boston Redevelopment Authority recommends approval. Occupancy, existing for ten years, is consistent with residential neighborhood.



Z-5594
7 SHENANDOAH ST.
(DOR.)

Board of Appeal Referrals 4/22/82

Hearing: 5/4/82

Z-5596

Oy Wah Yue

79 River Street, Dorchester
at Sturbridge Street

One-story structure

District(s):	apartment_____	general business_____	industrial_____
	residential <u>R-.5</u>	local business_____	waterfront_____
	single family_____		manufacturing_____

Purpose: to change occupancy to Chinese restaurant.

Violation(s):
Section

Change in nonconforming use.

Structure was last used as beauty salon. Proposed nonconforming restaurant use is inappropriate. Similar facilities located within 1-1/2 miles of each other presently serve the general area. Residents are opposed.
Recommend denial.

VOTED: In reference to Petition Z-5596, brought by Oy Wah Yue, 79 River Street, Dorchester, for a change in nonconforming use for change of occupancy to Chinese restaurant in a residential (R-.5) district, the Boston Redevelopment Authority recommends denial. Structure was last used as beauty salon. Proposed nonconforming restaurant use is inappropriate. Similar facilities located within 1-1/2 miles of each other presently serve the general area. Residents are opposed.



Z-5596
79 RIVER ST.
(DOR.)

Board of Appeal Referrals

Hearing: 4/27/82

Z-5597

David S. Brown

35-37-39 Saratoga Street, East Boston
near Meridian Street

Two-story structure

District(s): apartment H-1 general business _____ industrial _____
 residential _____ local business _____ waterfront _____
 single family _____ manufacturing _____

Purpose: to change occupancy from telephone exchange to light manufacturing of medical equipment and pharmaceuticals, research laboratories, genetic engineering, accessory offices.

Violation(s):
Section

Research and genetic engineering laboratory with accessory offices is forbidden use.

Manufacturing of medical equipment and pharmaceuticals is forbidden use.

Change in nonconforming use.

Proposed industrial uses with attendant traffic are unwanted and would seriously impact the residential two-three family neighborhood. City of Boston "Barnes" School is in close proximity to site. East Boston Land Use Council, East Boston Chamber of Commerce and residents are opposed.

Recommend denial.

VOTED: In reference to Petition Z-5597, brought by David S. Brown, 35-37-39 Saratoga Street, East Boston, for two forbidden uses and change in nonconforming use for change of occupancy from telephone exchange to light manufacturing of medical equipment and pharmaceuticals, research labs, genetic engineering, accessory offices in an apartment (H-1) district, the Boston Redevelopment Authority recommends denial. Proposed industrial uses with attendant traffic are unwanted and would seriously impact the residential two-three neighborhood. City of Boston "Barnes" School is in close proximity to site. East Boston Land Use Council, East Boston Chamber of Commerce and residents are opposed.

Z-5597

35-39 SARATOGA ST.
(E.B.)



Board of Appeal Referrals 4/22/82

Hearing: 5/4/82

Z-5603

Children's World Educational Centers, Inc.
63 Perrin Street, Roxbury
near Alaska Street

2-1/2 story structure

District(s): apartment _____ general business _____ industrial _____
residential R-.8 local business _____ waterfront _____
single family _____ manufacturing _____

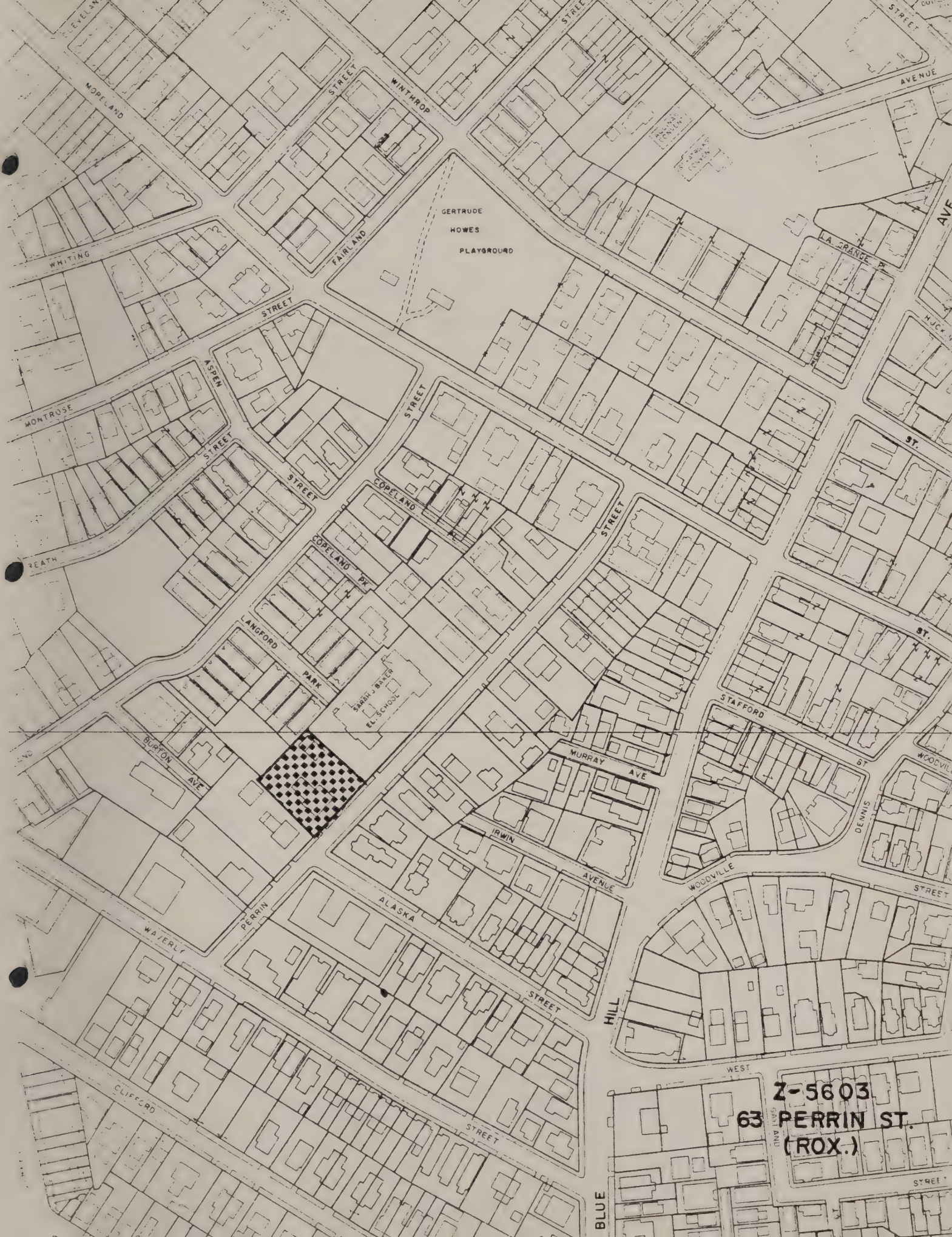
Purpose: to increase capacity of day care center from 55 to 75 children.

Violation(s):
Section

Day care center for 75 children is conditional use.

Petitioner states day care center will accommodate children from facilities which have been closed because of funding cutbacks. Recommend approval with provisos.

VOTED: In reference to Petition Z-5603, brought by Children's World Educational Centers, Inc., 63 Perrin Street, Roxbury, for a conditional use to increase capacity of day care center from 55 to 75 children in a residential (R-.8) district, the Boston Redevelopment Authority recommends approval with following provisos: that there be no change in hours of operation (7:45 a.m. to 5:45 p.m.); that facility comply with City and State safety regulations.



Z-5603
63 PERRIN ST.
(ROX.)

Board of Appeal Referrals 4/22/82

Hearing: 5/4/82

Z-5600-5602
 525-527 Columbus Associates and
 Michael A. Burke
 525a-529 Columbus Avenue, Boston
 near Greenwich Park

Three five-story row structures

District(s):	apartment_____	general business_____	industrial_____
	residential_____	local business <u>L-2</u>	waterfront_____
	single family_____		manufacturing_____

Purpose: to change occupancy: to seven apartments; from eight apartments and store to seven apartments; from four apartments and store to four apartments. Erect two one-story penthouses.

Violation(s):
Section

Converted dwelling not complying with floor area ratio and open space requirements is forbidden use.

Parking not allowed within five feet of side lot line.

Floor area ratio is excessive.

Roof structure not allowed.

Open space is insufficient.

Two of the three row structures (525-527) are vacant - fire damaged - and would undergo complete rehabilitation. Proposal is consistent with and will enhance the neighborhood. Recommend approval with proviso.

VOTED: In reference to Petitions Z-5600-5602, brought by 525-527 Columbus Associates and Michael A. Burke, 525a-529 Columbus Avenue, Boston, for a forbidden use and eight variances for change of occupancy of three structures to seven, seven, and four apartments respectively in a local business (L-2) district, the Boston Redevelopment Authority recommends approval provided plans are submitted to the Authority for design review. Two of the three row structures (525-527) are vacant - fire damaged - and would undergo complete rehabilitation. Proposal is consistent with and will enhance the neighborhood.



Z-5600-5602
525-529 COLUMBUS AV
(B.P.)

Board of Appeal Referrals 4/22/82

Hearing: 4/27/82

Z-5608-5609

Philip Portnoy

American Youth Hostels, Inc. (prospective
purchaser)

15 Haviland and 12 Hemenway Streets, Boston

Two four-story structures

District(s):	apartment_____	general business <u>B-2</u>	industrial_____
	residential_____	local business_____	waterfront_____
	single family_____		manufacturing_____

Purpose: to combine structures and change occupancy from 15 apartments and lodging house for 89 persons to one apartment and lodging house for 219 persons.

Violation(s):
Section

Off-street parking is insufficient.

These buildings will be operated by American Youth Hostels, Inc., which provides temporary quarters for youthful travelers, who characteristically do not use private automobiles. 38 off-street parking spaces will be provided at the Dalton Street garage, which is within 1200 feet of the property. The petitioner has agreed to continue to pay real estate taxes. 18 present tenants will be allowed to remain. Recommend approval with provisos.

VOTED: In reference to Petition Z-5608-5609, brought by Philip Portnoy and American Youth Hostels, Inc., 15 Haviland and 12 Hemenway Streets, Boston, for two variances to combine structures and change occupancy from fifteen apartments and lodging house for 89 persons to one apartment and lodging house for 219 persons in a general business (B-2) district, the Boston Redevelopment Authority recommends approval with the following provisos: that present tenants be allowed to remain in building at rates no greater than those charged to users of youth hostel services; that property remain on City's real estate tax rolls; that plans be submitted to the Authority for design review. The clients of American Youth Hostels, Inc., typically do not travel by private motor vehicles. However, 38 off-street parking spaces are to be provided at the Dalton Street Garage, which is within 1200 feet of the hostel. Petitioner has agreed to allow 18 present residents to remain and to pay real estate taxes.

[illegible]

Board of Appeal Referrals \$?@@?*@

Hearing: 4/27/82

Z-5611
Philip R. Berardi
145 Everett Street, Allston
near Lincoln Street

Vacant land

District(s):	apartment_____	general business_____	industrial_____
	residential R-.8_____	local business_____	waterfront_____
	single family_____		manufacturing_____

Purpose: to erect one-story auto body repair-garage structure.

Violation(s):
Section

Auto body repair shop—repair garage is forbidden use.

Off-street parking not allowed within required front yard.

Site is inappropriate. Use with its attendant activities would have a detrimental impact on the residential neighborhood. Allston Civic Association and abutters are opposed. Recommend denial.

VOTED: In reference to Petition Z-5611, brought by Philip R. Berardi, 145 Everett Street, Allston, for a forbidden use and a variance to erect a one-story auto body repair-garage structure in a residential (R-.8) district, the Boston Redevelopment Authority recommends denial. Site is inappropriate. Use with its attendant activities would have a detrimental impact on the residential neighborhood. Allston Civic Association and abutters are opposed to this petition. However, the Association is working with petitioner for development alternatives.



Z-5611
145 EVERETT ST
(ALLSTON)

Board of Appeal Referrals 4/22/82

Hearing: 4/27/82

Z-5612

We Can, Inc.

William H. Jones, Executive Director

10 Thetford Avenue, Dorchester

near Norfolk Street

Three-story structure

District(s):	apartment_____	general business_____	industrial_____
	residential R-.8_____	local business_____	waterfront_____
	single family_____		manufacturing_____

Purpose: to change occupancy from two- to three-family dwelling.

Violation(s):

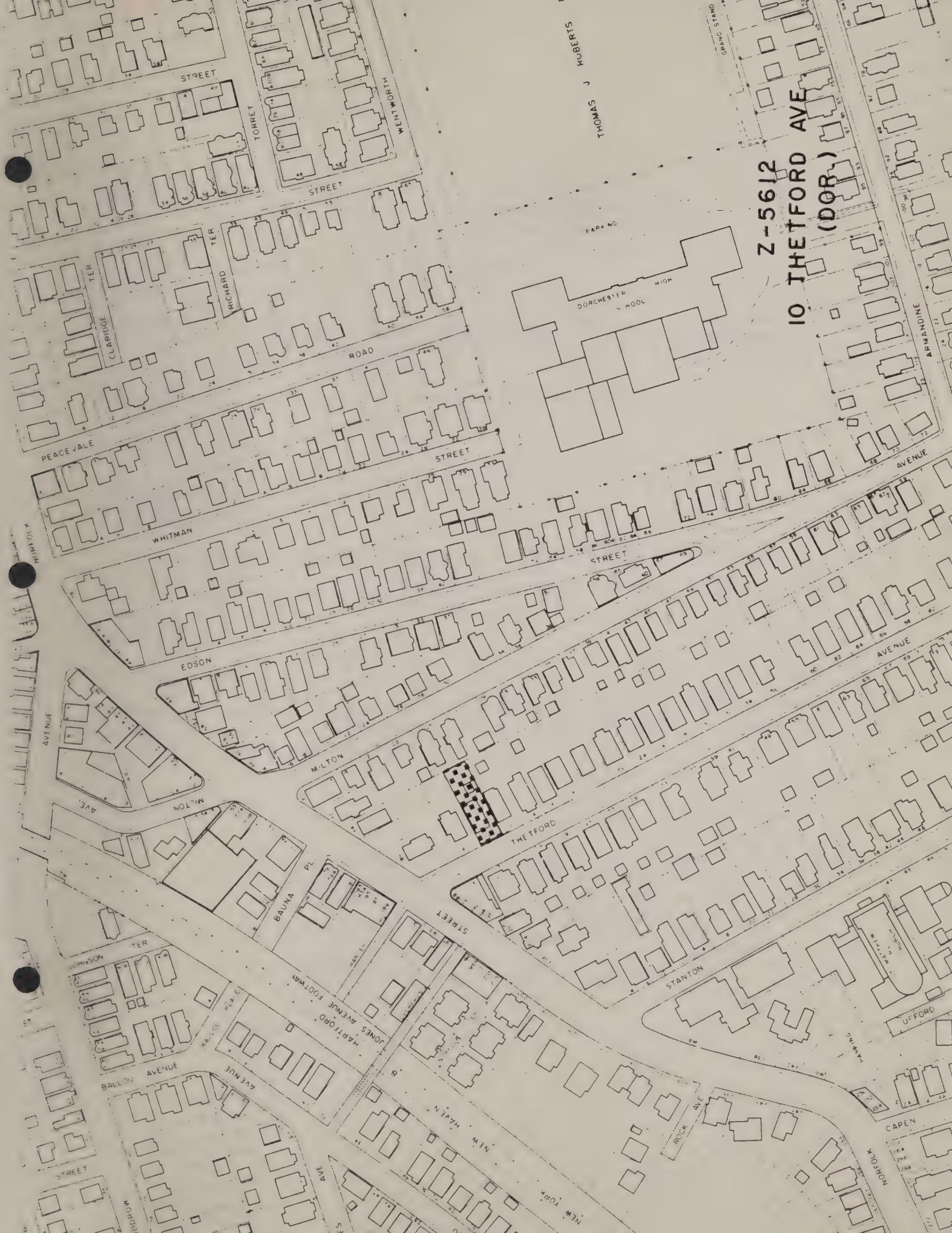
Section

Converted dwelling which does not meet lot area requirements
is forbidden use.

Lot area is insufficient.

Condition apparently existed at time of purchase from City of Boston.
Neighbors and abutters support change. Recommend approval.

VOTED: In reference to Petition Z-5612, brought by
We Can, Inc., 10 Thetford Avenue, Dorchester,
for a forbidden use and a variance for change
of occupancy from two- to three-family dwell-
ing in a residential (R-.8) district, the
Boston Redevelopment Authority recommends
approval. Condition apparently existed at
time of purchase from City of Boston Neigh-
bors and abutters support change.



Z-5612

10 THETFORD AVE

(DOR.)

Board of Appeal Referrals 4/22/82

Hearing: 5/4/82

Z-5616-5617
Josephine Sanfilippo
64 Como Road, Hyde Park
near Vallero Road

Two-story structure

District(s):	apartment_____	general business_____	industrial_____
	residential_____	local business_____	waterfront_____
	single family <u>S-.5</u>		manufacturing_____

Purpose: to relocate lot line; to erect one-family dwelling.

Violation(s):
Section

- Lot area, width, frontage, and front yard are insufficient.
- Accessory garage may not be closer than four feet to side lot line.

Presently, the lot line splits a one-car accessory garage. Proposal would remedy this condition. One-family dwelling violations will not impact the low density residential neighborhood.

VOTED: In reference to Petitions Z-5616-5617, brought by Josephine Sanfilippo, 64 Como Road, Hyde Park, for five variances to relocate lot line and erect a one-family dwelling in a single-family (S-.5) district, the Boston Redevelopment Authority recommends approval. Proposals will not impact the low density residential neighborhood.



Z 5616-17
64 COMO RD.
(H.P.)

Board of Appeal Referrals 4/22/82

Hearing: 5/4/82

Z-5622

440 Commercial Street Trust
440-448 Commercial Street, Boston
at Greenough Lane

Four-story structure

District(s):	apartment <u>H-3</u>	general business <u> </u>	industrial <u> </u>
	residential <u> </u>	local business <u> </u>	waterfront <u> </u>
	single family <u> </u>		manufacturing <u> </u>

Purpose: to change occupancy from 16 apartments to offices.

Violation(s):

Section

Professional office building is forbidden in an H-3 district.

Floor area ratio is excessive.

Off-street parking is conditional in restricted parking district.

In 1981, petitioner received permit for change of occupancy from wholesale floor covering business to 16 apartments. Proposed office conversion information is insufficient to assess impact on neighborhood. Recommend denial without prejudice.

VOTED: In reference to Petition Z-5622, brought by 440 Commercial Street Trust, 440-448 Commercial Street, Boston, for a forbidden use, a conditional use, and a variance for change of occupancy from sixteen apartments to offices in an apartment (H-3) district, the Boston Redevelopment Authority recommends denial without prejudice. Proposed office conversion information is insufficient to assess impact on neighborhood. Plans indicating number and types of offices, floor layouts, and parking circulation must be submitted.



440-448 COMMERCIA ST.
7-5622
(B.P.)

